

PTO/SB/97 (08-03)

Approved for use through 07/31/2008, OMB 0651-0031

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ELMAR R. BURCHARDE

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- STATEMENT UNDER 37 CFR 3.73 (L) 1 page
- REVOCATION OF POWER OF ATTORNEY 1 page
- ASSIGNMENT OF INVENTION BY BAYER AG 1 page
- COPY OF RECORDATION FORM COVER SHEET 1 page
- SUMMARY OF SUBMITTED MATERIALS AND AMENDMENTS 6 pages

including Total: 12 pages

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PTO/SB/96 (08-03)

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: ELMAR R. BURCHARDT / BAYER AKTIENGESELLSCHAFTApplication No./Patent No.: 091 830 741 Filed/Issue Date: 06/21/2001

Entitled: _____

ELMAR R. BURCHARDT, a _____

(Name of Assignee)

GERMAN CITIZEN & PRIVATE INVENTOR
(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: INVENTORS To: BAYER AKTIENGESELLSCHAFT
The document was recorded in the United States Patent and Trademark Office at
Reel 011936, Frame 0036, or for which a copy thereof is attached.
2. From: BAYER AKTIENGESELLSCHAFT To: ELMAR R. BURCHARDT
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

09/07/2003

Date

(49) 173 5474 107

Telephone number

ELMAR R. BURCHARDT

Typed or printed name

ELMAR R. BURCHARDT

Signature

PRIVATE INVENTOR

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/82 (08-03)

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**REVOCATION OF POWER OF
ATTORNEY and APPOINTMENT OF
NEW POWER OF ATTORNEY**

Application Number	09/830,741
Filing Date	06/21/2001
First Named Inventor	ELMAR R. BURCHARDT
Art Unit	1654
Examiner Name	RUSSEL, JEFFREY E.
Attorney Docket Number	LEA 33256

I hereby revoke all previous powers of attorney given in the above-identified application: 09/830,741

☐ A Power of Attorney is submitted herewith.

OR

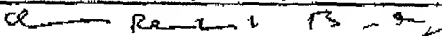
☐ I hereby appoint the practitioners at Customer Number: ☐ Please change the correspondence address for the above-identified application to:☐ The address associated with
Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name	ELMAR R. BURCHARDT		
Address	DAMASCHKEWEG 69		
Address			
City	WUPPERTAL	State	Zip 42113
Country	GERMANY		
Telephone	(49) 202 710019	Fax	

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

Name	ELMAR R. BURCHARDT		
Signature			
Date	09/06/2003	Telephone	(49) 173 5474 107

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.38. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9198 and select option 2.

Attorney Docket No. Le A 33 256

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of one dollar (\$1.00) and for other good and valuable consideration, the receipt of which is hereby acknowledged,

ASSIGNOR:

BAYER AKTIENGESELLSCHAFT, a corporation of Germany, located at D 51368
Leverkusen, Germany

hereby sell(s), assign(s) and transfer(s) to

ASSIGNEE:

Elmar Reinhold Burchardt, a German citizen residing at Damaschkeweg 69, 42113
Wuppertal, Germany, and his successors, assigns and legal representatives,

the entire right, title and interest in and to, including the right to claim priority from, the
invention(s) disclosed in

U.S. Patent Application Serial Number 09/830,741, filed on June 21, 2001, which is
entitled: "Phosphinate Peptide Analogs for the Treatment of Fibrotic Disorders"

and any legal equivalent thereof in a foreign country,

and in and to all Letters Patent and equivalents thereof to be obtained for said invention in all
countries by the above application or any continuation, division, renewal, substitute or
equivalent thereof, as well as to any reissue, reexamination, patent term restoration, or
equivalent thereto.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance
has been or will be made or entered into which would conflict with this assignment, and that
ASSIGNEE will, upon ASSIGNEE's request, be provided promptly with all pertinent facts and
documents relating to said invention(s) and said Letters Patent and legal equivalents as may
be known and accessible to ASSIGNOR, and ASSIGNOR will testify as to the same in any
interference, litigation or other proceeding related thereto, and will promptly execute and
deliver to ASSIGNEE or its legal representative(s) any and all papers, instruments or
affidavits required to apply for, obtain, maintain, issue and enforce said application, said
invention(s) and said Letters Patent and said equivalents thereof which may be necessary or
desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, the undersigned ASSIGNOR executed this assignment this
19 day of August, 2003 at Leverkusen, Germany.

BAYER AKTIENGESELLSCHAFTBy: 

ppa. Dr. Wolfgang Ehrenstein ppa. Dr. Nils Perchenek
- both secretaries -

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SEP 15 2003

Form PTO-1595 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2006) Tab settings ⇌ ⇌ ⇌		RECORDATION FORM COVER SHEET PATENTS ONLY		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office	
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies): <u>BAYER AKTIENGESELLSCHAFT</u> <u>D-51368 LEVERKUSEN</u> <u>GERMANY</u> Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			2. Name and address of receiving party(ies) Name: <u>ELMAR R. BURCHARDT</u> Internal Address: _____ _____ Street Address: <u>DAMASCHKEWEG 69</u> _____ City: <u>WUPPERTAL</u> State: <u>GERMANY</u> Zip: <u>42113</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>08/19/2003</u>					
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: _____ A. Patent Application No.(s) <u>091830,741</u> B. Patent No.(s) _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>ELMAR R. BURCHARDT</u> Internal Address: _____ _____ Street Address: <u>DAMASCHKEWEG 69</u> _____ City: <u>WUPPERTAL</u> State: <u>GERMANY</u> Zip: <u>42113</u>			6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41).....\$ <u>40</u> <input type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: _____ (Attach duplicate copy of this page if paying by deposit account)		
DO NOT USE THIS SPACE					
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. <u>ELMAR R. BURCHARDT</u> <u>Elmar R. Burchardt</u> <u>09/07/2003</u> Name of Person Signing Signature Date Total number of pages including cover sheet, attachments, and documents: <u>1</u>					

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patents & Trademarks, Box Assignments
 Washington, D.C. 20231

September 6, 2003

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10 In the
United States Patent and Trademark Office
Commissioner for Patents
PO Box 1450
15 Alexandria, VA 22313-1450

Application No. 09/830,741
Filing Date: 06/21/2001
First named inventor: Elmar-Reinhold Burchardt
20 Attorney Docket No.: LE A 33 256
Confirmation No. 2024
Examiner: Russel, Jeffrey E.
Art Unit: 1654

25

Sir:

This replies to the Office Action Summary mailed to Bayer Inc. on
25/06/2003.

30

Submitted herewith are:

- 35
1. Statement under 37 CFR 373 (b)
 2. Revocation of power of attorney
 3. Amendments to claims
 4. Amendments to specifications
 5. Amendments to the abstract

40 The following amendments have been carried out:

With regard to 3, the last line of claims 2 and 3 are now omitted to clarify the
claimed stereoconfigurations.

45

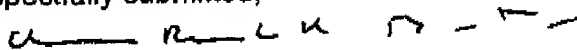
With regard to 4, the appropriate corrections with regard to point 3 of the Of-
fice Action Summary from 25/06/2003 are now included.

With regard to 5, the intended therapeutic use has been added.

50

If the Examiner believes that a conversation with the applicant would be help-
ful in expediting the prosecution of this application, the Examiner is invite to
the private inventor at the t lephone numbers indicated in the letter head or
to contact him by email.

Respectfully submitted,



5

Elmar R. Burchardt, M.D., Ph.D., M.Sc.